

Valerie S. Carter,

I received your letter dated 9/28/05.

You indicated that you will not get involved "whatsoever" with my appeal. Enclosed is, Motion For leave to Appeal Forma Pauperis, the Appearance Form, Docketing Statement, and Transcript Order Form for you to file.

They must be filed within 14 days of the Notice of Default issued 9-26-05.

Oct 10th is our dead line.

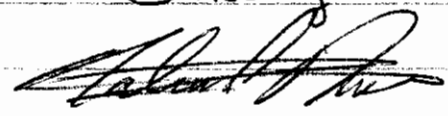
Counsel is directed to Loc. R. 46.6, providing that "[A]n attorney who has represented a defendant in a criminal case is the district court will be responsible for representing the defendant on appeal, until the attorney is relieved of such duty by the Court of Appeals." Loc. R. 46.6(a) (emphasis added). Counsel must comply with this deadline or file a motion to withdraw with supporting documentation in accordance with Loc. R.

The attorney filing the notice of appeal is responsible for filing the Docketing Statement, even if different counsel will handle the appeal.

Please do not allow my appeal to be dismissed. I understand you do not wish to handle my appeal because of my outstanding balance, but complete these enclosed forms and file them so you be relieved of your duties and I can get an attorney to handle my appeal.

In your letter, you did not mention anything about talking with the D.A. to inform her I will NOT be testifying at Sean Stark's trial as I requested. Please speak with her so that I will not be subpoenaed again to his trial. Please have miss. Lie Quash the subpoena and put the necessary paper work into the U.S. Marshals ~~pad~~ put the paper work into the B.O.P. so that I can be on my way. I hope to hear from you by Oct 7th. On Oct 8th I will write Both, Judge Young and miss. Lie myself to inform them of the situation and my intentions, and wish to be placed into B.O.P. custody. I do not want to spend another holidays here in Ma. My family needs me close by.

Dated 9/28/05

Sincerely

Fabian A Ruiz